

REMARKS

Claims 1-3, 6-11, 26-44 are pending in the above-captioned patent application. Claims 1-3, 6-10 and 26-27 have been allowed. Claims 28-40 have been rejected. Claims 41-44 have been added by this amendment. Support for new claims 41-44 can be found in claim 11. Reconsideration of the application is respectfully requested in view of the arguments set forth below.

Rejections Under 35 U.S.C. § 102(b)

Claims 28-40 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hovakimian (U.S. Patent No. 5,466,919). The Applicant respectfully traverses the rejection of these claims. More specifically, as outlined below, claims 28-40 include features that are not taught or suggested by Hovakimian. For example,

- 1) independent claim 28 requires "a merchant computer system used by the merchant to compute the charitable contribution that is to be forwarded to the charity."
- 2) Claim 29 requires "the merchant computer system stores identification data of the customer, identification data of the charity and the charitable contribution."
- 3) Claim 30 requires "the charity card includes the identification of the customer on a first side of the card and the identification of the charity on a second side of the card."
- 4) Claim 31 requires "the charity card includes an identification of a plurality of charities and information regarding the distribution of the charitable contribution among the plurality of charities."
- 5) Claim 32 requires "the merchant computer system generates a sales receipt for the customer, the sales receipt containing information regarding the purchase, including the amount of the charitable contribution."
- 6) Claim 33 requires "the merchant computer system stores each of the charitable contributions by the customer and the sales receipt includes a cumulative total of the charitable contributions by the customer."
- 7) Claim 34 requires "the sales receipt includes information regarding the

identification of the charity."

- 8) Claim 35 requires "a central computer system that is electronically linked to the merchant computer system, the central computer system receiving information regarding the charitable contribution from the merchant computer system, the central computer system initiating a transfer of funds from the merchant to the charity."
- 9) Claim 36 requires "the central computer system stores information regarding the charity and the customer and the central computer system is used to create the charity card."
- 10) Claim 37 requires "the central computer system generates statements to the merchant, the charity and the customer."
- 11) Claim 38 requires "the merchant computer system reads the charity card to determine the identity of the customer and the charity and the merchant computer system records the charitable contribution made by the merchant to the charity."
- 12) Independent Claim 39 requires "an identification of a plurality of charities recorded on the substrate and information regarding a distribution of charitable contributions among the plurality of charities recorded on the substrate."
- 13) Claim 40 requires "an identification of a customer is recorded on a first side of the substrate and the identification of the charities is recorded on a second side of the substrate."

None of these features are taught or suggested by Hovakimian. Instead, Hovakimian (U.S. Patent No. 5,466,919) discloses the use of an existing credit card that is issued by a credit card issuing agency/bank. The credit card includes a magnetic strip having coded information about the identification of a charity. In Hovakimian, when the credit card holder goes to a merchant and uses the credit card for making a purchase, the card data is read and sent to the card issuing bank for processing. The card issuing bank separates the charity identification data from other card processing and billing data. Then, the card issuing bank checks a charity card database for the name of the charity to set aside charity funds as determined by the card holder to be

billed to the card holder account. These charity funds are then billed to the card holder charge account and thus are charitable contributions by the customer. The charity funds amounts are remitted to the charity by the card agency/bank.

Because the features in claims 28-40 are not taught or suggested by the Hovakimian, claims 28-40 are patentable.

NEW CLAIMS

New claims 41-44 have been added by this amendment. These claims are of a slightly different scope than the previously pending claims. However, these claims are considered patentable in view of the cited references.

CONCLUSION

In conclusion, Applicant respectfully asserts that claims 1-3, 6-11, and 26-44 are patentable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 858-456-1951 for any reason that would advance the instant application to issue.

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Respectfully submitted,



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